IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 146

FC/OAG 115 of 2025

Between

YKG

… *Applicant*

And

YKH

… *Respondent*

JUDGMENT

[Family Law — Custody — Impasse provision]
[Family Law — Custody — Care and control — Shared care and control]
[Family Law — Custody — Access — Weekly and overnight access]
[Family Law — Custody — Access — School holiday access]
[Family Law — Custody — Access — Special days access]
[Family Law — Custody — Access — Public holidays access]
[Family Law — Custody — Access — Overseas access]

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YKG
v
YKH

[2026] SGFC 146

Family Court—FC/OAG 115 of 2025
District Judge Bryan Fang
15 July, 21 August, 23 September 2026

2 November 2026 Judgment reserved.

District Judge Bryan Fang:

1 The parties are Pakistan nationals. They are divorced with a six-year-old daughter ("M").

2 FC/OAG 115/2025 ("OAG 115") is an application by the father ("the Father") under s 5 of the Guardianship of Infants Act 1934 (2020 Rev Ed) ("GIA") for orders on custody, care and control, and access. This includes orders for joint custody and shared care and control. He said that since the mother ("the Mother") "abducted" M from the matrimonial home two years ago, she has tried to alienate M from him. The Mother denied the Father's claims. She said that the Father continues to have regular access to M and that he in fact "abducted" M overseas to Pakistan two years ago. She counter-proposed a different set of orders for M. These include an order for joint custody but with a mechanism giving her the final say if there is a deadlock between the parties

on certain matters relating to M. She also sought sole care and control of M and opposed the Father having overnight and overseas access at this stage.

3 Several affidavits were filed. Extensive allegations were made. Too often the tone was harsh and the concern with the past. Claims were also exaggerated or made without sufficient care. The cross-allegations of "abduction" were one example. There were others. These included allegations questioning the basic fitness and commitment of the other as a parent. This was unfortunate. The parties had nothing to gain from putting one another down. They were both active parents who cared for M. While they had unhappy episodes and differences between them, these were recounted and accentuated in unhelpful ways. It raised the temperature of the proceedings. It distracted from the real issues. And ultimately, it set the parties further apart and hurt the very interest they shared: M's welfare. It bears reminding that the essence of our family justice system is about *moving forward* by adopting a *problem-solving* approach instead of an adversarial one: *VDZ v VEA* [2020] SGCA 75 at [75]; *DDN v DDO* [2024] SGHC(A) 2 ("*DDN*") at [19].

4 I heard arguments on 15 July and 23 September 2026 ("the July Hearing" and "the September Hearing" respectively). Having considered the matter, I make the orders set out in the Annex to this judgment. In summary, I order that the parties are to have joint custody of M without any deadlock mechanism; that the Mother shall have sole care and control; and that the Father shall have liberal access, starting with daytime access on four days of the week and building up to include overnight and overseas access. I also make orders on access during school holidays, special days, and public holidays. These are the grounds of my decision.

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Background

5 The parties married in Pakistan in 2018. They later moved to Singapore. In February 2020, M was born in Singapore. She has lived here since.

6 In July 2024, the Mother left the matrimonial home, taking M with her. She moved to another unit in the same condominium block as the matrimonial home. She said that she left because of the Father's prolonged abusive behaviour and that her intention to move was made known to the Father.[1] She also said that she chose to remain in the same condominium to maintain M's bond with both parents.[2] The Father denied the allegations of abuse. He said that it was the Mother who was constantly aggressive towards him.[3] He also said that he did not agree to the Mother taking M with her and that she had "abducted" M.[4]

7 Since the parties started living separately, the Father has not had overnight access with M. That is save for a period in October 2024 when he took M with him to Pakistan ("the October 2024 Incident"). The Father said that the Mother was in Pakistan at the time; and that he had travelled there with the intention of speaking with her given "the background of an unresolved marital crisis".[5] He said that he took M as he did not want to leave her in Singapore with the domestic helper.[6] The Mother said that she was unaware of the Father's plans

[1] Mother's 1st Affidavit dated 3 September 2025, paras 11–12.

[2] Mother's 1st Affidavit dated 3 September 2025, para 45.

[3] Father's 2nd Affidavit dated 29 May 2026, para 4.

[4] Father's 1st Affidavit dated 22 July 2025, paras 20, 34, 36.

[5] Father's Written Submissions, para 10(4); Father's 2nd Affidavit dated 29 May 2026, paras 9–15.

[6] Father's 2nd Affidavit dated 29 May 2026, paras 9, 11.

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to take M with him to Pakistan and that he had "abducted" M.[7] She said that the October 2024 Incident was deeply traumatic for both M and her.[8] She referred to it as the single "defining event" which sat "[a]t the heart of this case" and invited the court to "keep it in view on every issue".[9]

8 In July 2025, the Mother commenced divorce and guardianship proceedings in Pakistan ("the Pakistan Proceedings").[10] At or around that time, on 25 July 2025, the Father filed this application, OAG 115. He said that he did so before he was served with the Mother's papers in the Pakistan Proceedings.[11] In December 2025, the parties finalised their divorce in Pakistan.

Procedural history

9 OAG 115 included a prayer for an urgent interim order restraining the Mother from taking M out of Singapore. This was heard on 5 August 2025. A consent order was made. It essentially provided that M was not to be removed from Singapore by either party without express written agreement.

10 On 15 September 2025, the Mother applied in FC/SUM 3003/2025 to set aside the consent order. She sought liberty to bring M on overseas trips. Following a contested hearing, the court made an interim order on 19 January 2026. The interim order provides that, pending the disposal of

[7] Mother's 1st Affidavit dated 3 Sep 2025, paras 90, 93, 95.

[8] Mother's 1st Affidavit dated 3 Sep 2025, paras 90, 193, 289.

[9] Mother's Written Submissions, para 9 and Section D.

[10] Father's Written Submissions, para 10(6).

[11] Father's Written Submissions, paras 10(6)–(7).

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OAG 115, neither party is permitted to take M out of Singapore without the prior leave of court or the parties' written agreement ("the SUM 3003 Order").

11 Both parties later applied for and obtained permission to file further affidavits. The Father's application in FC/SUM 400/2026 was filed on 16 February 2026 and determined on 31 March 2025, with a clarificatory hearing on 25 May 2026. The Mother's application in FC/SUM 1275/2026 was filed on 18 May 2026 and determined on 29 June 2026.

12 I first heard OAG 115 at the July Hearing. It appeared from the Father's written submissions that he was seeking a quite different set of orders from his original prayers in OAG 115. This included expanded orders (*e.g.* more consecutive days with M) and entirely new orders (*e.g.* on choosing a primary school for M and school holiday arrangements). At the same time, it also appeared from the Mother's written submissions that some of her proposals for M differed from her position on affidavit. For example, whereas she had initially sought an order for sole custody in her affidavit,[12] her written submissions stated that she was agreeable to joint custody but with a deadlock mechanism.[13] The Mother had also initially proposed in her affidavit that the Father not be allowed overnight or overseas access until M turned 10 years old.[14] However, in her written submissions, she said that she did not object in principle to the Father having overnight or overseas access, provided that an independent professional first assessed M to be emotionally ready for such access.[15]

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[12] Mother's 1st Affidavit dated 3 Sep 2025, para 21.

[13] Mother's Written Submissions, para 21.

[14] Mother's 1st Affidavit dated 3 Sep 2025, para 21.

[15] Mother's Written Submissions, paras 12(b), 34, 77, 112(c).

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13 Neither counsel for the Father, Ms Kaur, nor counsel for the Mother, Ms Begum, raised objections to the other side taking new or revised positions. Both were prepared to proceed based on the parties' latest positions in their written submissions, save that they said that they would need time to take instructions on matters which had newly arisen. Thus, the July Hearing was adjourned after brief oral submissions. I directed the parties to submit a joint consolidated table setting out their respective positions on all the issues being considered for M.

14 The parties submitted the joint consolidated table on 18 August 2026 ("the Issues Table"). Among other things, it appeared that they were agreed on enrolling M in an international school in 2027. However, their proposals on school holiday access were based only on the local schooling calendar. Thus, I directed the parties to submit a further joint table with their respective positions specifically on school holiday access, taking into account the international school calendar. I also directed the parties to submit a joint table of their updated weekly work schedules and M's updated weekly schedule. These further tables were submitted on 21 September 2026. I will refer to them respectively as "the School Holiday Access Table" and "the Weekly Schedules Table".

15 I also directed the parties to file an affidavit on the Pakistan Proceedings, including to state if any orders had been made for M in those proceedings and if those proceedings were still ongoing. I left the parties to consider possibly filing a joint affidavit. The Father subsequently filed an affidavit on 16 September 2026. The Mother did not file an affidavit within the time directed.

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16 At the September Hearing on 23 September 2026, counsel confirmed that both parties were proceeding based on their positions in the Issues Table and the School Holiday Access Table. Ms Begum did not insist that the Father amend his prayers in OAG 115. Ms Kaur did not insist that the Mother file a cross-application for the orders she was seeking. It was also confirmed that the Pakistan Proceedings were ongoing; the Pakistan courts had not made any orders for M; the Father was challenging the court's jurisdiction there to make orders for M; and that notwithstanding the Pakistan Proceedings, both parties wanted the Singapore courts to make orders for M. I proceeded to hear arguments after receiving these clarifications and reserved judgment at the end of the hearing.

17 After the September Hearing, Ms Kaur updated the court on the Pakistan Proceedings via letter on 30 September 2026. It appeared that the Pakistan courts had issued a decision on 24 September 2026, a day after the September Hearing. The Father's jurisdictional challenge there had been accepted. The Pakistan courts found that M's "daily life and environment are firmly anchored in Singapore" and ordered that the Mother's guardianship application in the Pakistan Proceedings be "returned to [her] … for its presentation before the forum of competent jurisdiction". Subsequently, Ms Begum also updated the court in a separate letter on 5 October 2026, stating that the Mother did not intend to challenge the decision of the Pakistan courts. The Mother confirmed that it was her position that all matters relating to M's custody, care and control and access be determined in Singapore.

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Decision

18 In all proceedings directly affecting the interests of children, the welfare of the child is paramount: s 3 of the GIA; *BNS v BNT* [2015] SGCA 23 at [19]. Each issue raised by the parties and considered below is guided by this "lodestar principle": *UDG v UDF and another matter* [2019] SGCA 24 at [8].

Custody

Parties' positions

19 The Father sought joint custody of M. The Mother accepted that joint custody was appropriate;[16] but added that it should be accompanied by a "practical mechanism for resolving genuine deadlock".[17] Under her proposed mechanism, the parties would be required to consult each other on all major decisions concerning M; and where agreement on matters relating specifically to M's education, health, and religion "cannot reasonably be reached, or consent is unreasonably withheld", she would have final decision-making authority ("the Deadlock Mechanism").[18] She said that such a mechanism was necessary given that consensus could not be reached on some issues for M in the past.[19] The Father objected to the Deadlock Mechanism.

Deadlock Mechanism

20 The Mother did not cite any authorities to support her proposed Deadlock Mechanism. But I note that there are High Court decisions on the

[16] Mother's Written Submissions, paras 38 and 54.

[17] Mother's Written Submissions, para 57.

[18] Mother's Written Submissions, para 58.

[19] Mother's Written Submissions, para 56.

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matter. These decisions counsel that an impasse provision like the Deadlock Mechanism "ought not to be made just because there is some acrimony or difficulty with cooperation between the parties": *CXR v CXQ* [2026] SGHCF 12 ("*CXR*") at [28]. It must be clear that the parties would have "very serious difficulties" in working with each other: *WZF v WZG* [2025] 3 SLR 1219 ("*WZF*") at [23]. For example, in *CXR*, an impasse provision was found to be warranted in circumstances where there was "severe discord" between the parties which "gravely imped[ed]" their cooperation on matters relating to the child: *CXR* at [15] and [26]. This was evidenced by: (a) a number of legal actions brought by the parties against each other, including proceedings for defamation and personal protection orders; (b) a breakdown in communications where one party was unwilling to read emails from the other; and (c) a "repeated resort to litigation" to resolve their disputes regarding the child which reflected "an inability to make decisions in the Child's best interests": *CXR* at [16]–[21]. As another example, the High Court in *TEN v TEO and another appeal* [2020] SGHCF 20 ("*TEN*") found an impasse provision to be warranted where there was a "high degree of hostility between the parents" whose resort to repeated litigation over a six-year period had "entombed the family in the litigation box": *TEN* at [52].

21 Ultimately, whether an impasse provision is warranted depends on the specific facts of each case: *CXR* at [28]. In my view, such a provision is not justified in the present case. The facts were not as severe as what was seen in *CXR* and *TEN*. There was no doubt a fair amount of acrimony and distrust between the parties here. There was also evidence of their troubled communications when interacting on matters relating to M. I say more about this friction later: see [36] below. But ultimately, I do not find this to be a case where the parties were so engulfed by their own negative emotions towards one

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another that those emotions had come to override their affections and ability to make joint decisions for M. Both parties care deeply for M. And in my view, they remain capable of making decisions jointly on important issues for her. Indeed, this was *the Mother's* own position. In her submissions, she said that "[t]he parties have demonstrated an ability to cooperate on important decisions"; that "notwithstanding their personal differences, the parties are capable of exercising joint parental responsibility where [M's] welfare requires it".[20] This submission was made in the context of refuting allegations that she had excluded the Father from significant decisions affecting M; but it plainly subtracted from her argument on the necessity for the Deadlock Mechanism. In fact, *both parties* referred to similar examples as evidence of their ability to co-operate on important matters relating to M. This included their joint selection of M's current pre-school in late 2025 and attending certain events organised by the pre-school.[21] Further, since these proceedings began, the parties have also agreed to enrol M in an international school for 2027: see [14] above. And it was further confirmed during the September Hearing that the parties had identified and agreed to enrol M in a particular international school ("School V") for 2027 and agreed to co-operate in registering M in a local primary school for 2028.

22 The Mother referred to past incidents where the parties could not agree on some matters for M. This included whether M was ready to advance in kindergarten and what enrichment classes to enrol her in.[22] However, to my mind, it was of some significance that these incidents arose *after* the Mother had

[20] Mother's Written Submissions, para 25(f).

[21] Father's 2nd Affidavit dated 29 May 2026, para 60; Mother's Written Submissions, para 25(f).

[22] Mother's Written Submissions, para 56.

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moved out of the matrimonial home and the marriage had broken down. This suggested that it was "the inevitable stress attendant upon any divorce" which had affected the parties' decision-making for M and "not any fundamental disability or disinclination to do so": *AZZ v BAA* [2016] SGHC 44 at [54]. In this connection, I was informed at the September Hearing that the parties had agreed in the course of these proceedings to attend co-parenting counselling. This was encouraging. The parties came to this on their initiative. I commend them on recognising that they could benefit from some help. Hopefully, with counselling, they can gain insights into joint parenting and improve their communications. As an aside, I saw no need to make an order to formalise the parties' agreement on counselling, which the Mother had requested. The parties have agreed to this and can be left to make their own arrangements.

23 Looking ahead, there will quite naturally be matters relating to M on which the parties may have different views. And by seeking an order for the Deadlock Mechanism, the Mother no doubt hopes to resolve any such future disagreements pre-emptively. But it bears observing that an impasse provision is not a panacea. It does not put an automatic end to further disagreements or even litigation. For example, an impasse provision like the Deadlock Mechanism does not foreclose disputes over the quality of the parties' discussions on matters relating to M or the reasonableness of the positions taken which resulted in the deadlock in the first place. In these ways, an impasse provision might just become another source of conflict and bitterness. These would not be good outcomes for anyone – not least for M. Ultimately, the real answer which the Mother was searching for lies with the parties themselves. They must have a genuine resolve to engage with one another respectfully, with an open mind, and in the spirit of compromise. That is the fundamental point. To echo the High Court, it is a practical expectation flowing from the legal duty

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of parental responsibility that "the parties are expected to work on *reducing conflict presently*" [original emphasis]: *VJM v VJL and another appeal* [2021] 5 SLR 1233 ("*VJM*") at [5].

24 For completeness, I note that the Mother had advanced an alternative position. She said that she should be granted sole custody if the Deadlock Mechanism was not ordered. I do not agree with this. The law on custody is well established. The welfare of a child is best secured by letting her enjoy the love, care and support of both parents: *CX v CY (minor: custody and access)* [2005] 3 SLR(R) 690 at [26]; *ZO v ZP and another appeal* [2011] SGCA 25 at [12]. Thus, in custody proceedings, an order for joint custody is the norm: *WZF* at [17]. Sole custody orders are generally only made in exceptional cases: *WZF* at [18]. In my view, there were no exceptional reasons in the present case to depart from an order of joint custody.

25 In the circumstances, I order that the parties have joint custody of M. In my view, they can co-operate on major decisions for M, despite the current acrimony. They should thus be left as parents and equal partners to jointly discuss and decide on such matters, without the court's imprimatur that one or the other shall, in some or all matters, have the final say.

Supplementary issues

26 Supplementary to the issue of custody, the Father also sought several orders which essentially required the Mother to co-operate on specific matters. These related to a proposed Singapore permanent residency application for M, and enrolling M in a local primary school for 2028.[23] As stated earlier, the

[23] Father's Written Submissions, paras 5(2)–(3), 48–50.

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Mother agreed to co-operate in respect of the primary school enrolment for 2028: see [21] above. But she did not agree with the Father's other proposed supplementary orders.

27 In my view, it was not necessary to make the supplementary orders sought by the Father. The parents have joint custody of M. This means that they are expected to consult each other and make major decisions for M jointly. This includes issues relating to M's immigration status and education. I urge the parties to genuinely discuss these (and other) major matters relating to M's welfare in good faith. The court's intervention should remain the last resort: *VJM* at [6]; *DDN* at [19].

28 For the same reason, I decline to make some other orders sought by the Father relating specifically to M's education. This included orders that the parties consult and endeavour to agree on all decisions concerning M's education; and that both parties be at liberty to attend all matters relating to M's education (*e.g.* parent-teacher conferences). While the Mother was agreed on these matters, I found it unnecessary to make such orders given the order on joint custody.

Conclusion

29 To summarise, I order that the parties are to have joint custody of M. I decline to order the Mother's proposed Deadlock Mechanism. I also decline to order the supplementary orders sought by the Father relating to the proposed permanent residency application for M; M's local primary school enrolment; and M's education generally.

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Care and Control

Parties' positions

30 The Father sought shared care and control. He said that M was strongly attached to him,[24] that "[t]he parties can co-parent well",[25] and that they live nearby.[26] On this last-mentioned point, Ms Begum clarified during the September Hearing that the Mother and M no longer live in the same condominium as the Father; but they remain close by, a few minutes' drive away.

31 The Mother opposed shared care and control. She said that such an order was not workable given the parties' acrimonious relationship. She also said that M would be starting primary school next year; hence it would be in M's interests to minimise disruptions in her daily routine. She sought sole care and control.

Shared care vs sole care

32 In determining whether shared care and control would be in a child's welfare, the court considers factors such as the child's needs at her stage of life, the extent to which the parents are able to co-operate within such an arrangement, and whether it is easy for the child to live in two homes within one week, bearing in mind her age and personality: *TAU v TAT* [2018] 5 SLR 1089 ("*TAU*") at [12]. The court is also far more concerned with the issue of "workability" and "potentiality for stress on the children" when dealing with

[24] Father's Written Submissions, para 86.

[25] Father's Written Submissions, para 84.

[26] Father's Written Submissions, para 85.

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care and control than when dealing with custody: *BNS v BNT* [2017] 4 SLR 213 ("*BNS*") at [75].

33 In my judgment, considering the facts of this case, an order for shared care and control would not be in M's interests.

34 I accept that the physical circumstances in this case do not pose a serious obstacle in implementing a shared care order. The parties continue to live nearby. This limits the time demands and stress on M when moving between homes. But a shared care order does not simply require M to alternate between two *homes* on a regular basis; it also requires her to alternate between two *primary caregivers*. Thus, for such an order to work, the parties are expected to be able to regulate their emotions and interactions around M; and to function well *as a cohesive unit*. It is draining on a child to have to actively and constantly monitor the "emotional weather" they encounter in each parents' home: *TAU* at [18]. It also bears emphasising that a shared care order does not equate to an arrangement where "each parent [does] as he or she pleases in his or her time allocated": *BNS* at [80]. They have to be able to co-operate to provide the "consistency in care" important to a child's sense of stability, especially where the child is of a young age: *BNS* at [80].

35 On the evidence, I am not confident that the parties are sufficiently able at this stage to manage the tensions apparent at their level, or to effectively communicate and co-operate on a day-to-day basis, in a manner that would allow M to feel *secure* and to experience *consistency* in a shared care arrangement.

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36 To begin with, I note that contrary to his submission that the parties can co-parent well, the Father had repeatedly stated in his affidavit that the Mother was "incapable of co-parenting".[27] He accused her of parental alienation and obstructive behaviour.[28] He said that she was paranoid, narcissistic, and questioned her mental state.[29] On the other hand, the Mother repeatedly said that it was the Father who was "the real impediment to co-parenting".[30] She said that he prioritised his own inflated ego over M's welfare and accused him of hostile, rigid, and abusive behaviour.[31] There was also ample evidence of the parties' difficulties in communication. For example, the Father said that there had been "many episodes of miscommunication", including when he tried to pick M up from school, as the Mother had apparently instructed her helper not to communicate with him directly.[32] On the other hand, the Mother said that the Father had "repeatedly blocked" her messages; and that when unblocked, he often responded with "long accusatory emails focusing on baseless allegations rather than constructive solutions".[33]

37 Significantly, the evidence also showed the parties letting one too many caregiving incidents run away from them; and that *M was exposed to and affected by* the parties' acrimony. For example, the Father said that there was an incident where the Mother called him while he was taking M on an outing. The

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[27] Father's 1st Affidavit dated 22 July 2025, paras 40, 57, 58; Father's 2nd Affidavit dated 29 May 2026, para 51.

[28] Father's 1st Affidavit dated 22 July 2025, e.g. paras 61–67.

[29] Father's 1st Affidavit dated 22 July 2025, paras 64, 66, 67.

[30] Mother's 1st Affidavit dated 3 September 2025, paras 53, 162.

[31] Mother's 1st Affidavit dated 3 September 2025, e.g. paras 53, 156–164, 337.

[32] Father's 1st Affidavit dated 22 July 2025, para 44.

[33] Mother's 1st Affidavit dated 3 September 2025, para 54.

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Father said that the Mother accused him of intentionally leaving M's smartwatch at home. He said that the Mother made this accusation "in a manner that deeply upset [M], who then felt responsible and guilty for forgetting the watch".[34] In another incident, the Mother said that she had asked the Father if she could collect stickers from his home so that M could make a birthday gift for her friend. But the Father was said to have "deflected or refused"; and later, when M made the same request to him, he was apparently agitated and told M that she did not have to be a "messenger" for the Mother.[35] The Mother said that M felt confused and looked at her anxiously.[36]

38 These were some examples. There were other such day-to-day incidents. It is neither necessary nor useful to scrutinise these matters to apportion blame. Leaving aside the truth of the parties' allegations, the fact that they "raised numerous allegations against each other's parenting and character, suffices to show that at this stage, cooperative parenting is less than likely": *VYP v VYQ* [2021] SGHCF 40 ("*VYP*") at [10]. A shared care order demands "extensive co-parenting": *VYP* at [9]. In my view, such an order would be neither desirable nor workable at this time, given the current state of the parties' relationship.

39 Another factor which weighed against a shared care order was the fact that M is due to start formal schooling next year. A shared care order would alter her present living arrangements and daily routine substantially. It would introduce an additional layer of complexity as she makes the transition to

[34] Father's 1st Affidavit dated 22 July 2025, para 65.

[35] Mother's 1st Affidavit dated 3 September 2025, paras 57–58.

[36] Mother's 1st Affidavit dated 3 September 2025, para 59.

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primary school: *TAU* at [31], citing *ATZ v AUA* [2015] SGHC 161 at [109]. I agree with the Mother that this would not be practical.

40 In this connection, I note that that the Father had urged the court to attach "no weight" to the fact that M has been living with the Mother since July 2024.[37] He said that this arrangement had been unilaterally created by the Mother's "abduction" and that the court should not reward her for her conduct.[38] He said that the "true status quo" and "ideal state of affairs" was what existed during the first four-and-a-half years of M's life, which was when she was living "with both parents as her daily caregivers".[39] He said that a shared care order would restore and accord with this previous arrangement.[40]

41 In my view, this submission was misconceived. It effectively asks the court to disregard M's living arrangements over the last two years and turn back the clock. But that is artificial. It "ignores the realities" and attempts to impose a "modified version of the perceived ideal" of a child lovingly cared for jointly by both parents in an intact family: *TAU* at [12]. It also approaches matters from the wrong perspective. The court is focused neither on penalising the *Mother* for her actions nor on restoring the *Father* to a position where he can exercise what he perceives to be his full parental rights. The court's paramount concern is the welfare of *M*. And I cannot see how *M's* interests would be served by giving "no weight" to her current reality. A child's need for stability is a "deep-

[37] Father's Written Submissions, para 19.

[38] Father's Written Submissions, para 78.

[39] Father's Written Submissions, paras 76–77.

[40] Father's Written Submissions, paras 76, 97.

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rooted one long recognised by the courts": *TSF v TSE* [2018] SGCA 49 ("*TSF*") at [86].

42 The conduct of parties can be a relevant factor when determining the issue of care and control: *YCS v YCT* [2026] SGHCF 15 at [17], citing *IW v IX* [2006] 1 SLR(R) 135 at [27]. But on the present facts, the Mother's conduct in leaving the matrimonial home with M was, in my view, a largely neutral factor. I make no findings on her allegations that she was subject to prolonged abuse during the marriage: see [6] above. It suffices to observe that she evidently found it untenable to continue living under the same roof as the Father. So she left and she took M with her. The Father said that he did not agree to this; that he insisted that the parties settle first on terms for M's caregiving.[41] That would no doubt have been ideal. It is regrettable that it did not happen. But what was salient in my view was that the Mother said that she chose to move to a unit within the same condominium block, so that M could continue to maintain a bond with *both* parents.[42] This was not disputed;[43] and it is tangible evidence of the Mother trying to find a middle ground in a sub-optimal situation. Suffice it to say, the circumstances in which she left the matrimonial home with M do not accord with the Father's claims of "abduction". This was also not a case where the child was removed by one parent with a wilful disregard for or with the intent of cutting off the other parent: *cf*, *TSF* at [78].

43 For completeness, I note that the Father also generally accused the Mother of engaging in poor conduct, including unilateral decision-making,

[41] Father's 2nd Affidavit dated 29 May 2026, para 22.

[42] Mother's 1st Affidavit dated 3 September 2025, paras 44–45.

[43] Father's 1st Affidavit dated 22 July 2025, para 33.

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parental alienation, and gatekeeping.[44] Among other things, he said that the Mother denied him overnight access with M; ate into his access time by handing over M late; and interrupted his access by, for example, insisting that M wore a smartwatch and "pepper[ing]" her with calls and "messages conveying suspicion" (*e.g.* "are you okay?", "be careful", "where are you right now?").[45]

44 The Mother denied these allegations. She said that the Father had "easy and regular access" to M. She said that he could show up at the Mother's door "unannounced" to pick M up and that she "never prevented this".[46] She also said that she facilitated access even at inconvenient times, for example, packing M's dinner and sending her over to the Father's place in the evening, even though it conflicted with M's dinner and bedtime routines.[47]

45 On my view of the evidence, I accept that there have been instances of unilateral decision-making by the Mother. This came across most clearly in the context of the Mother's overseas trips with M after the marital breakdown, some of which she proceeded with despite the Father's express objections: see [84] and [89] below. I also have difficulties with the Mother's restrictive stance on overnight access: see [53]–[58] below. And I accept that there is some truth in the Father's allegations that the Mother had disturbed his access with M through calls and texts to him or M.[48] These aspects of the Mother's behaviour were not helpful. They have contributed to the acrimony and distrust between the parties and were ultimately not good for M.

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[44] Father's Written Submissions, paras 84, 122.

[45] Father's Written Submissions, paras 87(a), 122.

[46] Mother's 1st Affidavit dated 3 September 2025, para 50.

[47] Mother's 1st Affidavit dated 3 September 2025, para 281.

[48] Mother's 1st Affidavit dated 3 September 2025, pp 442–444, 457–458.

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46 On the whole, however, I am not satisfied that that there was a "pattern of conduct"[49] suggesting that the Mother was determined to undermine the Father's relationship with M. I make several observations in this regard. First, it is worth reiterating that the Mother had initially moved to another unit in the same condominium block as the matrimonial home so that M could maintain a bond with both parents: see [42] above. Second, the Father has adduced ample evidence of his interactions with M *after* the separate living arrangements started. This includes photographs showing him spending time with M at home,[50] at his workplace,[51] at M's school,[52] and on outings.[53] I note that the High Court in *VYP* at [12] had similarly referred to such evidence in finding that there was no alienation in that case. Third, there was evidence of the Mother initiating contact with the Father to involve him in matters relating to M. These included unprompted text messages from her to inform the Father, for example, about M asking to sleep over at his place,[54] and about a meet-and-greet session at M's pre-school for new parents.[55] These actions are not consistent with a campaign to alienate or undermine. Fourth, to the extent that I disagreed with the Mother's positions on overnight and overseas access, these could be addressed by making orders which ensured that the Father would have such access. Fifth, to the extent that the Mother could be said to have interfered with the Father's access through messages and calls, I consider her conduct on such occasions to be more

[49] Father's Written Submissions, para 122.

[50] Father's 1st Affidavit dated 22 July 2025, p 49.

[51] Father's 1st Affidavit dated 22 July 2025, p 52.

[52] Father's 1st Affidavit dated 22 July 2025, pp 54, 56.

[53] Father's 1st Affidavit dated 22 July 2025, pp 35, 39.

[54] Mother's 2nd Affidavit dated 16 July 2026, p 32.

[55] Father's 2nd Affidavit dated 29 May 2026, p 98.

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consistent with her being overprotective of and genuinely concerned for M; and not that she had set out to spoil the Father's time with M.

47 In my view, weighing the factors, a shared care order is not suitable in this case. I find it more appropriate to grant sole care to the Mother. It is clear that she has a strong bond with M and is able to care for M. Granting her sole care also helps to preserve M's sense of stability, which is important at her age and as she begins formal schooling. While the Father claimed to be the primary caregiver for M when the marriage was functioning,[56] I find that this downplayed the Mother's role. Indeed, I note that whereas the Father had been working prior to the marriage, the Mother only started working in June 2021, when M was one-and-a-half years old.[57] Thus, it is reasonable to assume that her role in caring for M during that critical early period would have been significant. Tellingly, the Father's own submissions also described *both* parents as M's "daily caregivers" for the first four-and-a-half years of her life: see [40] above. In my view, this was likely more reflective of the actual circumstances during the marriage – *i.e.* that both parties played the role of active parents.

Conclusion

48 To sum up, I order that the Mother is to have sole care and control of M. I find that an order for shared care and control would not be in M's best interests. In my view, such an order would not be workable, given the current acrimony between the parties. It would also be too disruptive for M, considering her stage of life, age, and routine. The fact that the Mother left the matrimonial home with

[56] Father's 1st Affidavit dated 22 July 2025, para 7–9.

[57] Mother's 1st Affidavit dated 3 September 2025, paras 46–47.

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M in less-than-ideal circumstances, as well as her conduct since, also does not, on my assessment of the facts, justify an order for shared care.

49 The Father wants to continue to be actively involved in M's life. This is good. But an order for shared care is not the only way to enable this: *BNS* at [82]. Such an order would, as a matter of form, achieve some parity between the parties. But as a matter of substance, it would, in my assessment, come at a cost to M's welfare. In my view, the better way of giving effect to the Father's intentions is to grant him liberal, structured access to M. He can and should continue to take an active interest in M's life during his periods of access. In that way, when M comes of age, "it will be enduring ties of love and affection rather than a court-ordered apportionment of [M's] time, that forms the substratum of an enduring father-daughter relationship": *AUA v ATZ* [2016] 4 SLR 674 at [62]. With that in mind, I turn to the issue of access.

Access

50 The parties sought orders relating to weekly and overnight access, school holiday access, special days access, public holidays access, overseas access, and other general access terms.

Weekly and overnight access

(1) Parties' positions

51 The Father sought around three-and-a-half consecutive days with M, from Wednesday after school to Saturday night. This was in line with his proposed order for shared care and control. At the September Hearing, Ms Kaur submitted in the alternative that, if a shared care order was not made, the court

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could consider starting with one overnight for two weeks before the court's final orders on access take effect from the third week.

52 The Mother proposed that the Father have access on Mondays and Wednesdays from after school till 6pm; and on Sundays from 10am to 6pm. She said that this was consistent with an agreement which the parties had arrived at prior to these proceedings following counselling and mediation.[58] The Mother also said that she was not opposed to overnight access in-principle, but that overnight access should not commence "until an independent professional has assessed that [M] is emotionally ready for such arrangements".[59] In this context, she referred primarily to the October 2024 Incident.[60] She said that following the Father's "abduction" of M to Pakistan, M "consistently refused" to stay overnight with him and developed separation anxiety and bedwetting.[61]

(2) Overnight access

53 In my judgment, considering the facts in totality, I agree with the Father that there was no need for overnight access to be contingent on any professional assessment of M's emotional readiness.

54 First, the Mother did not raise any genuine safety concerns with overnight access. There was also no evidence to suggest that M is estranged from the Father; emotionally rejects or withdraws from him; or that she is

[58] Mother's 2nd Affidavit dated 16 July 2026, para 42; Mother's Written Submissions, paras 25(g), 65.

[59] Mother's Written Submissions, para 75.

[60] Mother's Written Submissions, para 78.

[61] Mother's 1st Affidavit dated 3 September 2025, paras 30, 90; Mother's Written Submissions, para 78(b).

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uncomfortable in his presence. The evidence instead shows that M enjoys spending time with the Father. The Mother's own evidence is consistent with this.[62] The evidence also shows that notwithstanding the separate living arrangements, the Father has made a determined effort to continue to be present in M's life.

55 Second, I am of the view that the Mother has placed undue emphasis on the October 2024 Incident. I accept that she did not have prior notice of the Father's intentions to take M to Pakistan with him. But her characterisation of the incident as an "abduction" does not accord with the facts. For example, the evidence shows that the parties were in communication while they were in Pakistan; the Father had conveyed his desire to meet with the Mother to resolve the family situation;[63] he facilitated calls between the Mother and M before they met;[64] and the parties eventually met in Pakistan and returned to Singapore with M.[65] These facts cannot be reconciled with the Mother's portrayal of a wilful attempt by the Father to put M out of her reach.

56 In any event, I do not consider it meaningful to dwell on the October 2024 Incident *per se*. The present inquiry concerns whether overnight access is appropriate at this stage. In my view, what is more relevant to this assessment was the Mother's claims that the October 2024 Incident had *present and continuing* effects on M, some two years later. With respect, her claims were either unsupported or contradicted by objective evidence. For example, she did

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[62] For example, Mother's 1st Affidavit dated 3 September 2025, paras 98–99.

[63] Mother's 1st Affidavit dated 3 September 2025, p 98.

[64] Father's 2nd Affidavit dated 29 May 2026, para 16.

[65] Father's Written Submissions, para 10(4).

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not adduce any medical evidence linking M's bedwetting to the October 2024 Incident. Her claim that the October 2024 Incident was the "true cause"[66] of M's bedwetting was also undermined by unchallenged evidence by the Father which showed the parties corresponding over what appears to be M's urinary issues in September 2024 – *before* the October 2024 Incident.[67] I also found quite significant an April 2025 nighttime text exchange between the Mother and the Father (referred to at [46] above), which began with the Mother informing the Father that "[M] wants to come over to your place and sleep there if you're home". This was contemporaneous evidence which appeared to show M of her own accord expressing a desire to spend the night sleeping over at the Father's home – *after* the October 2024 Incident. It is inconsistent with the Mother's claim that M's alleged refusal to stay overnight with the Father was a "natural response to the fear, anxiety, and insecurity that [M] experienced during this abduction".[68]

57 Third, the Mother's claim that M "consistently refused" to stay overnight with the Father was also not borne out on the evidence. On the Mother's own account, there were only two attempts at overnight access since the parties' separate living arrangements began more than two years ago.[69] Objectively, this did not provide much basis for suggesting a pattern of refusal on the part of M. I also note that the Mother said that the two overnight attempts were unsuccessful; and that these failed attempts proved that overnight stays

[66] Mother's 1st Affidavit dated 3 September 2025, para 90.

[67] Father's 2nd Affidavit dated 29 May 2026, para 42.

[68] Mother's 1st Affidavit dated 3 September 2025, para 30.

[69] Mother's 1st Affidavit dated 3 September 2025, paras 151, 176.

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were "emotionally harmful" to M.[70] But this was barely asserted. There was no suggestion of any strong or adverse reaction by M to the two overnight attempts. The Mother merely stated that the attempts were not successful as M was "unable to fall asleep".[71] To my mind, even if this were true, it is not inconsistent with M simply needing some time to warm up to overnight stays with the Father, which can be accounted for through stepped-up access orders. In any event, the fact that a child is presently not keen on overnight access (which I make no finding on in this case) is not a sufficient basis in itself to impose non-overnight access in the absence of other countervailing factors: *WQP v WQQ* [2023] SGHCF 49 at [17(d)].

58 In the final analysis, I see no real reason to be concerned about granting overnight access to the Father. Far from it being "emotionally harmful" to M, I consider overnight access to be in M's welfare. It would give father and daughter an extended block of time to bond. This is especially salient considering that, since the separate living arrangements began, the Father has had fewer opportunities to spend time with M. As the Court of Appeal observed in the context of access orders, a child should "[a]s far as possible … be allowed to interact with both parents so that, despite the breakdown in relations between the parents, he is assured, to the greatest extent possible, of a normal life with two parents": *BG v BF* [2007] 3 SLR(R) 233 at [13].

59 That said, given that M has not stayed overnight with the Father for more than two years (save for the October 2024 Incident), I consider it prudent to delay overnight access slightly. I will structure the access orders in stages, such

[70] Mother's 1st Affidavit dated 3 September 2025, para 151.

[71] Mother's 1st Affidavit dated 3 September 2025, paras 151, 176.

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that M first has a healthy amount of daytime weekly access with the Father to strengthen their bond and settle into a new routine, before overnight access begins one month after this judgment in the second stage: see [62] below. Ultimately, whether M adjusts well to these orders will depend to a great degree on *both* parties co-operating, supporting, and encouraging M. And in that context, I would urge the Mother especially to focus on M's present and future; and not be fixed on the past. The October 2024 Incident was no doubt an anxious and unpleasant experience. But to insist on viewing matters through that unforgiving lens will colour her focus on what was ultimately good for M, which is to have a healthy relationship with both parents. The Mother has called the October 2024 Incident "the defining event" of these proceedings. But there is no reason for it to become the defining event of M's childhood – and perhaps even adult life. With the co-operation of both parents, that can and should be avoided.

(3) Weekly access

60 On weekly access, I note that the Mother had referred to an existing access agreement, which she said should continue. However, this agreement was lacking in particulars: for example, it was not clear when it was made. It also seemed quite informal: there was no written record of it. At the same time, the Father said that there was a different version of what was agreed on.[72] He also said that, in any event, any prior agreement between the parties was only intended to operate on an interim basis and had not been functioning well.[73]

[72] Father's 1st Affidavit dated 22 July 2025, para 33.

[73] Father's Written Submissions, para 78.

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61 On the evidence, the parties appear to have had some prior understanding on access arrangements; but it was not clear if this was a settled understanding and, if so, what its terms actually were. In any event, I do not seek to replicate any such prior understanding for its own sake. In structuring the access arrangements, I take into account all the circumstances of the case, with M's welfare as the paramount consideration. This includes the information in the Weekly Schedules Table.

62 Considering the facts in totality, I order that the Father shall have liberal weekly access on four days of the week. I structure the orders as follows.

(a) First, I order that the Father shall have access in the mornings on Mondays and Fridays for the purposes of dropping M off at school. I note from the Weekly Schedules Table that he is available to do so on these days. The Mother said that allowing the Father to send M to school in the mornings "would only create unnecessary disruption" for M.[74] But this was an unhelpfully narrow view. Allowing the Father to send M to school on some days is not a major adjustment in M's routine. At the same time, it gives the Father the opportunity to be involved in more aspects of M's daily life, which is ultimately good for M.

(b) Second, I order that the Father shall have access on Mondays and Thursdays after M finishes school to 6pm. This takes into account, among other things, the Father's weekly work schedule and that M's playtime before dinner generally ends around 6pm on school days.

[74] Mother's 1st Affidavit dated 3 September 2025, para 166.

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(c) Third, I order that the Father shall have access to M on Fridays and Saturdays. As alluded to earlier at [59] above, his access on these days will proceed in two stages. In the first stage, for one month from the date of this judgment, he shall have access on Fridays after school to 8pm and on Saturdays from 10:30am to 8pm. This takes into account that M generally goes to bed on these days between 9pm and 10pm and wakes up on Saturdays at around 10am. I also set the end of the Father's access at 8pm so that M can spend dinnertime with him. In the second stage, after one month from this judgment, the Father's access on Fridays and Saturdays will proceed as a continuous block from Friday after school to Saturday 8pm – *i.e.* including overnight access on Fridays.

(d) Fourth, in terms of handover arrangements, I order that, by default, the Father is to pick M up from the Mother's house or M's school (as the case may be) at the start of his access, while the Mother is to pick M up from the Father's house at the conclusion of his access. The parties are at liberty to make other handover arrangements by mutual agreement.

School holiday access

63 The parties' respective positions on school holiday access were set out in the School Holiday Access Table.

64 The Father generally sought for the school holidays to be shared equally, starting immediately from the next upcoming school holiday period in December 2026.

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65 The Mother disagreed with an even split of the school holidays. As with her position on overnight access, she said that school holiday access should be subject to independent professional assessment. In the alternative, if no such assessment is ordered, the Mother said that school holiday access should progress in stages over most of 2027; and eventually end with the parties splitting the school holidays equally between them at the earliest in 2028, depending on how M responds to overnight access.

66 I have explained my view that the independent professional assessment sought by the Mother is not necessary on the facts: see [53]–[58] above. This leaves the Mother's alternative position. It had the same end point as the Father's position, *viz*, equal sharing of the school holidays. This seemed to me a sensible and fair arrangement. It would also be good for M to spend time during the school holidays bonding with both parents.

67 The difference in the parties' positions thus came down to timing, *viz*, when to commence this equal sharing arrangement. In my view, it would be too soon to start this arrangement from the December 2026 school holidays, as suggested by the Father. The weekly access arrangements at [62] above should be given some time to stabilise; in particular, the overnight access arrangements, which I have ordered to start slightly later. At the same time, starting this equal sharing arrangement at the earliest only in 2028, as suggested by the Mother, seemed too late. It would mean skipping over or otherwise limiting valuable opportunities for M – who is fast growing up – to spend meaningful time with the Father.

68 Having regard to the circumstances of the case, I consider it appropriate to order that the parties split the school holidays evenly; and to commence this

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equal sharing arrangement from the mid-term school holidays starting in March 2027 (as shown in the school calendar for School V). By that time, M would have had some months to adjust to overnight access with the Father. I will also provide for the first and second halves of each school holiday period to alternate between the parties every year. This equal sharing arrangement of the school holidays is also to apply regardless of whether M is enrolled in an international school or local school.

69 For completeness, I note that the Mother also suggested including certain conditions on school holiday access as part of her alternative position. For example, she requested that when M spends an overnight block with one parent, M should have one daily video or telephone call with the other parent at a fixed time to be agreed by the parties. She also requested that when the Father has M for an overnight block during the school holidays, he should provide her with the address at which M was staying. In my view, there was no clear need for such orders. The parties are expected to be reasonable. They can and should work out the arrangements regarding overnight access as responsible parents. Not every detail had to be regulated by court order.

Special days access

70 The parties did not appear to agree on access arrangements for Father's Day, Mother's Day, the parties' birthdays, and M's birthday.

71 The Father proposed that M be with him on his birthday and Father's Day. Likewise, he proposed that M be with the Mother on the Mother's birthday and Mother's Day. As for M's birthday, the Father proposed that the parties alternate every year between having M on her birthday and the

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eve of her birthday. On all these special days, the Father proposed that M spend time with the relevant parent from 9am (or after school on a school day) to 9pm.

72 The Mother's position was less clear. She proposed that the Father have "reasonable access" on Father's Day and M's birthday. She did not state a position on the other special days which the Father had proposals for.

73 In my view, the Father's suggestions were generally reasonable. On his proposals, both parties would be able to celebrate their birthdays with M. Father's Day and Mother's Day would be split. And M would be able to celebrate her birthday with both parents, albeit on different days.

74 Thus, I accept the Father's proposals, save for some adjustments on timing. Considering M's schedule in the Weekly Schedules Table, I will provide for the relevant parent to have M on the aforementioned special days from 10:30am (or after school on a school day) to 8pm.

Public holidays access

75 The Father proposed that the parties alternate the public holidays between them, with him having M for the next public holiday immediately following the court's judgment. For Hari Raya Puasa and Hari Raya Haji specifically, he proposed that each party have M on one day and the eve of the other day; and that the parties alternate in odd and even years. He also proposed that, for all public holidays (including Hari Raya Puasa and Hari Raya Haji), the relevant parent would have M on their respective days from 9am to 9pm.

76 The Mother similarly proposed alternating public holidays with M, save that she proposed a timing of 10am to 6pm. For Hari Raya Puasa and

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Hari Raya Haji specifically, she proposed that the Father be with M from 10am to 3pm on these days.

77 Both parties were aligned on alternating all public holidays other than Hari Raya Puasa and Hari Raya Haji. I order this accordingly. I will also order that the Father is to have M on the next public holiday immediately following this judgment. And to avoid any doubt as to what constitutes an "alternate" public holiday in the case of a two-day public holiday (*e.g.* Chinese New Year), I order that, in such a scenario, each parent is to have M on one day of the two-day public holiday.

78 For Hari Raya Puasa and Hari Raya Haji specifically, the parties proposed different ways of sharing these days. Both proposals appeared reasonable. On balance, I preferred the Mother's proposal of simply splitting these days. This was more straightforward than the Father's proposal of splitting these days and the eve of these days on an alternating basis in odd and even years. It would also allow M to spend time with both parents on Hari Raya Puasa and Hari Raya Haji.

79 On timing, consistent with [74] above, I will provide that M's time with the relevant parent on all public holidays – excluding Hari Raya Puasa and Hari Raya Haji – shall be from 10:30am to 8pm. For Hari Raya Puasa and Hari Raya Haji, the Father shall have access from 10:30am to 4pm.

80 For the avoidance of doubt, I also order that the school holiday access arrangements starting from the March 2027 school holidays at [68] above are to prevail even if any public holiday (apart from Hari Raya Puasa and Hari Raya

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Haji) falls within the school holidays: *CLB v CLC* [2022] SGHCF 3 ("*CLB*") at [25].

Overseas access

(1) Background

81 Turning to overseas access, it is useful to start with some background on M's trips with the parties. This can broadly be divided into three timeframes.

82 In the first timeframe, while the marriage was intact, the parties used to take M on overseas trips together.[75] According to the Father, trips to Pakistan would also be planned annually for M to foster close ties with her relatives there.[76]

83 In the second timeframe, after the parties started living separately, M continued to be brought on overseas trips. Following the October 2024 Incident, M was taken on such trips almost exclusively by the Mother. These included trips to Sri Lanka (October 2024), London (November 2024), Malaysia (January 2025), Nepal (April 2025), and Pakistan (June 2025).[77] The sole exception was a trip to Indonesia sometime around January 2025.[78] The Father planned and took M on this trip; but as the Mother "made it clear that he could not go alone", she accompanied them.[79]

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[75] Father's 1st Affidavit dated 22 July 2025, paras 28–29.

[76] Father's 1st Affidavit dated 22 July 2025, para 27.

[77] Mother's 1st Affidavit dated 3 September 2025, para 197.

[78] Father's 1st Affidavit dated 22 July 2025, para 30; Mother's 1st Affidavit dated 3 September 2025, para 140.

[79] Mother's 1st Affidavit dated 3 September 2025, para 140.

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84 During this second timeframe, it was not disputed that the Mother took M on some trips despite the Father's objections.[80] It was also not disputed that she took M on some trips which were partly for her work.[81] In this regard, there were contemporaneous exchanges between the parties showing that, for some trips, the Father had raised concerns about M missing school and having her routine disrupted. He had also offered to care for M in Singapore while the Mother travelled for work.[82] However, these concerns and offers were rejected by the Mother.[83] The Mother said that she only brought M on business trips when she was fully capable of managing her work commitments and M's care.[84] She also said that, after the October 2024 Incident, "the trust required for me to leave [M] solely in [the Father's] care was broken".[85] Thus, on occasions when she did not bring M with her on her business trips, she left M with her maternal grandparents (when they visited Singapore from Pakistan) and her domestic helper.[86]

85 In the third timeframe, since these proceedings commenced in July 2025, neither party has travelled overseas with M. To recapitulate, as matters stand, pursuant to the SUM 3003 Order made in January 2026, neither party is permitted to take M out of Singapore without the prior leave of court or

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[80] Mother's 1st Affidavit dated 3 September 2025, para 231.

[81] Mother's 1st Affidavit dated 3 September 2025, para 197.

[82] Father's 1st Affidavit dated 22 July 2025, pp 76–77; Mother's 1st Affidavit dated 3 September 2025, pp 253–254.

[83] Father's 1st Affidavit dated 22 July 2025, pp 76–77; Mother's 1st Affidavit dated 3 September 2025, pp 253–254.

[84] Mother's 1st Affidavit dated 3 September 2025, para 238.

[85] Mother's 1st Affidavit dated 3 September 2025, para 202.

[86] Mother's 1st Affidavit dated 3 September 2025, paras 197, 202, 207.

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the parties' written agreement, pending the disposal of OAG 115: see [10] above.

(2) Parties' positions

86 The Father proposed that the SUM 3003 Order continue.[87] He said that he was "extremely fearful that if overseas travel is allowed, the Mother will permanently leave the jurisdiction and never return".[88] He also proposed adding conditions to the SUM 3003 Order, namely, that it shall cease only upon the earlier of: (a) M being granted permanent residency status in Singapore; or (b) the Pakistan courts making an order mirroring the orders made in OAG 115.[89]

87 The Mother sought for the SUM 3003 Order to be discharged.[90] She accused the Father of being "hypocritical", saying that it was his actions during the October 2024 Incident that "amounted to an actual abduction".[91] She counter-proposed that she be permitted to travel overseas with M upon providing at least 14 days' written notice to the Father.[92] While she did not object in principle to the Father taking overseas trips with M,[93] she submitted that such travel "should not commence before [M] has successfully established settled overnight access with [the Father]" and that, until then, the Father's

[87] Father's Written Submissions, paras 135, 146, 147.

[88] Father's Written Submissions, para 141.

[89] Father's Written Submissions, paras 5(7), 135, 146.

[90] Mother's Written Submissions, paras 114–115.

[91] Mother's 1st Affidavit dated 3 September 2025, para 279; Mother's Written Submissions, para 108.

[92] Mother's Written Submissions, para 112(b).

[93] Mother's Written Submissions, para 112(c).

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overseas access should be subject to the parties' written agreement or leave of Court.[94]

(3) General observations

88 In my judgment, it would, as a general matter, be in M's welfare to be able to travel overseas with *both* parents. This would provide her with valuable opportunities to spend time with them. I am also of the view that the parties should generally have *equal* access to these opportunities to travel with M. The Mother said that the trips she took with M had been "amazing" experiences for M.[95] She also said that her trips with M allowed M to "bond closely with [M's] extended family, especially her grandparents, aunts, uncles, and cousins, who play an important role in her emotional development".[96] In my view, in the absence of countervailing factors, there was no reason why M should be deprived of the opportunity to benefit from similar positive experiences with *the Father*; and to bond with *his family* in Pakistan.

89 In this vein, I pause to observe that the parties' overseas travels with M during the second timeframe was lopsided. During this period, the Mother appeared to have assumed sole decision-making authority in respect of overseas trips with M. She took trips with M even when the Father, in my view, had raised fair concerns and proposed reasonable caregiving alternatives. At the same time, she refused to entertain the prospect of the Father taking trips with M alone. The Mother said that the October 2024 Incident justified her position. But as I have observed, she has placed undue emphasis on that incident: see [55]

[94] Mother's Written Submissions, para 112(c).

[95] Mother's 1st Affidavit dated 3 September 2025, para 291.

[96] Mother's 1st Affidavit dated 3 September 2025, para 236.

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and [59] above. This was regrettable. It created an uneven situation. The Father responded by commencing these proceedings, including seeking an interim injunction on overseas travel. As matters stand, interim orders have been in place for more than a year; and *both* parties have been restricted from taking trips with M. Ultimately, this was a loss for M.

(4) The SUM 3003 Order

90 Going forward, the Father sought to preserve the SUM 3003 Order. I did not consider this necessary.

91 In my view, the Father's concerns that the Mother would abscond with M was not borne out on the evidence. He submitted that there were several "risk factors". These included the Mother's commencement and conduct of the Pakistan Proceedings; the Mother's trips with M despite his objections; and the Mother's expressed intention in a "recorded conversation" in June 2025 to return to Pakistan.[97] But in my view, the Father's allegations seemed to only go so far as to show that the Mother may wish to return to Pakistan with M at some point. That falls some way short of establishing a genuine likelihood of her acting *unlawfully* to realise that wish.

92 After the September Hearing, in her letter updating the court on the outcome of the Pakistan Proceedings, Ms Kaur highlighted that the Mother had said in those proceedings that her stay in Singapore with M was "purely temporary". Ms Kaur submitted that this was "further and compelling evidence" of the Father's concerns that the Mother would abscond with M. In my view, however, this did little to change the analysis. It again suggested no more than

[97] Father's Written Submissions, paras 136–145.

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that the Mother may wish to return to Pakistan at some point. More is required to infer that she will likely abscond with M if the interim travel injunction is lifted and replaced with comprehensive orders for M.

93 Materially, I note that there were facts tending in the opposite direction of the Father's concerns. For example, while the Mother may have proceeded on some trips without the Father's consent, it is not disputed that, for all the trips which she took with M during the second timeframe, she had given prior notice of the trips to the Father. She also generally provided itinerary details to the Father (even though he has complained of the adequacy and timeliness of the information provided[98]) and she returned with M after those trips. And she has complied with the SUM 3003 Order to-date. Quite materially, the Mother has also agreed to enrol M in School V for 2027 and to co-operate with the Father in enrolling M in a local primary school for 2028. The Father did not allege that this was a ruse by the Mother to mislead him while she secretly planned to uproot M.

94 Given my view that it is not necessary to preserve the SUM 3003 Order, it follows that I also do not find it necessary include the additional conditions proposed by the Father, *viz*, to make overseas access contingent on M obtaining permanent residency status in Singapore or a mirror order being made by the Pakistan courts. Such outcomes were in any event completely uncertain. They depended on the immigration authorities in Singapore and the courts in Pakistan respectively. It was thus possible, on the Father's proposed orders, that neither party would be able to travel with M indefinitely. I did not see how this was sensible or beneficial for M.

[98] Father's 2nd Affidavit dated 29 May 2026, para 50.

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95 Thus, I am of the view that the SUM 3003 Order should be discharged. The parties should have equal opportunities to take trips overseas with M. I turn now to consider the conditions of overseas access.

(5) Conditions on overseas access

96 First, both parties were agreed that, as a default, overseas trips with M should only be limited to the school holiday periods. I make this order.

97 Second, I order that, unless otherwise agreed (see [98] below), the parties may only commence travelling overseas with M from the mid-term school holidays starting in March 2027. This gives the weekly access arrangements some time to settle; and gives M some time to adjust to overnight access with the Father: see also [67]–[68] above.

98 Third, the Mother proposed two exceptions to allow the parties to travel overseas with M during non-school holiday periods. The first exception was for short trips, for example, during the weekends and public holidays. The second exception was for emergency trips or exceptional circumstances. These exceptions were newly proposed by the Mother in a letter to the court after the September Hearing. I did not have the Father's position. In any event, I am of the view that these were matters which the parties could be left to discuss and agree on. When such occasions arise, they should be reasonable and reciprocate understanding. For present purposes, it will suffice to provide that the parties may take M overseas at any time, with the consent of the other party, including during non-school holiday periods and/or before the mid-term school holidays starting in March 2027.

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99 Fourth, the parties agreed that if either party wishes to take M overseas, the travelling parent shall provide the non-travelling parent with the travel details at least 14 days prior to the trip, including the destination, flight departure and arrival information, itinerary (if any), and contact details during the trip. I make this order.

100 Fifth, the parties each sought orders that they be entitled to have custody of M's passport. The Father also sought an order that he be entitled to have custody of M's dependent's pass. I have granted sole care and control to the Mother. Thus, in the normal course, I order that she is to safekeep M's passport and dependent's pass: *e.g. TEN* at [58]; *CLB* at [27]. Needless to say, the Mother should provide M's passport to the Father if he has a trip scheduled with M; and the Father should return M's passport to the Mother after he has concluded a trip with M.

101 Sixth, the Father sought orders that neither party shall apply for, renew or replace any passport or travel document for M without the other party's consent or the leave of court. During oral submissions, Ms Kaur said that the rationale for the Father seeking this order was to guard against a scenario where the Mother falsely represents to the authorities that M's passport had been misplaced, takes steps to secretly renew M's passport, and ultimately relocates with M. It suffices to observe that these were serious allegations of anticipated wrongdoing which were not adequately substantiated. I do not grant this order.

102 Seventh, the Father sought an order that the parties shall co-operate in good faith in obtaining a mirror order in Pakistan of the orders made in OAG 115. This was premised on the Father's concerns that the Mother would

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abscond with M. However, those concerns have not been made out: see [91]–[93] above. Thus, I decline to make the order sought.

(6) Conclusion

103 To sum up on overseas access, I order that the SUM 3003 Order be discharged. From the mid-term school holidays starting in March 2027, the parties are at liberty to take M overseas when they have care of M during M's school holidays. They may also take M on overseas trips at any time, with the consent of the party, including during non-school holiday periods and/or before the mid-term school holidays starting in March 2027. The travelling parent shall provide the travel details to the non-travelling parent at least 14 days prior to the trip. The Mother shall safekeep M's passport and dependent's pass.

General access terms

104 Finally, there were a number of general access terms sought by the Father.

105 First, the Father proposed a reciprocal "right of first refusal" when either parent had to travel during the period when M was in their care. By this, he contemplated an order requiring the travelling parent to notify the non-travelling parent at least seven days in advance of such travel; and for the non-travelling parent to confirm within 24 hours if he or she was available to care for M. If the non-travelling parent was available, M would be left with the non-travelling parent. If the non-travelling parent was not available, the travelling parent would be free to make alternative care arrangements. The Mother objected to this. She

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counter-proposed that each parent remains responsible for making reasonable caregiving arrangements during his or her own care periods.[99]

106 In my view, the Father's proposed reciprocal "right of first refusal" was not unreasonable. It merely required the travelling parent to notify the non-travelling parent about the former's upcoming travel. The non-travelling parent then had to see if he or she was available to care for M and update the travelling parent. This was unremarkable. It is what joint parenting looks like in practice: both parents working together for the good of the child, communicating and stepping in for one another. This is to be encouraged. The Mother said that she would prefer to leave M with M's maternal grandparents if she had to travel. She said that they were familiar and trusted caregivers.[100] That may be so. But the law generally recognises that a child's grandparents are no substitute for the personal love and care of his parents: *TSH and another v TSE and another and another appeal and another matter* [2017] SGHCF 21 at [103]; *TSF* at [63]. Moreover, M's maternal grandparents do not live in Singapore. Thus, they cannot realistically be expected to constantly be available to care for M or be more attuned to M's needs and routines than the Father.

107 I therefore order the reciprocal "right of first refusal", generally in the terms proposed by the Father. For the avoidance of doubt, this order shall take immediate effect.

108 Relatedly, the Father also sought an order prohibiting M from being left overnight in the sole care of a third party (including grandparents and domestic

[99] Mother's Written Submissions, para 21.

[100] Mother's Written Submissions, para 21.

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helpers) where the non-travelling parent was available to care for M. However, this order was superfluous given the reciprocal "right of first refusal". The Father also sought an order that the travelling parent shall be entitled to one daily video or telephone call with M at a pre-arranged time between the parties. While the Mother agreed with this, I saw no need to make such an order. As stated earlier in a similar context, these are matters which the parties could be left to manage on their own as responsible parents: see [69] above.

109 Second, the Father proposed that the care parent promptly inform the other parent when M was unwell, including providing details of the symptoms, doctor's diagnosis, and medication to be administered. He also proposed that each party shall keep the other informed of M's schoolwork and enrichment work to be completed during the other parent's care time. While the Mother agreed with these proposals, I decline to make any orders. It is good that the parties wish to keep each other informed on M's health and schoolwork. I encourage their willingness to co-parent: *TAU* at [37]. But in my view, they did not need orders for these matters.

110 Third, the Father proposed an order providing that "[w]henever [M] is in the care of a domestic helper, any emergency concerning [M] (medical or otherwise) shall be communicated to both parties immediately". Such an order purports on its face to bind the domestic helper, who was not a party to these proceedings: *CLB* at [37]. I decline to make such an order.

111 Fourth, the Father proposed that when M was in the care of one parent, the other parent shall be entitled to one daily video or telephone call with M at a reasonable pre-arranged time. The Mother agreed. But again, I saw no need to make an order on a matter which could be left to the parties.

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112 Fifth, the Father proposed an order that "neither party shall repeatedly contact [M] (whether directly or through any device, including a smartwatch) during the other parent's care time". This was sought to address his complaint that the Mother had interfered with his access through messages and calls: see [43] above. As stated earlier, there was some truth to this complaint: see [45] above. However, I did not think that making such a specific order was helpful. I also consider it sufficient to remind the Mother that she should be more mindful of the Father's time with M and exercise greater care.

113 Sixth, the Father sought an order that "no male persons (excluding relatives)" be present when M was in the care of the Mother. This was "unless the Mother and the said male companion are married". In this regard, he said that he was concerned that the Mother was "potentially exposing [M] to her alleged affair partner".[101] In my view, there was no basis for the order sought by the Father. He did not give any direct evidence to support his concerns. He relied entirely on evidence from a third party whom he said was the "alleged ex-wife" of the "alleged affair partner".[102] This was plainly hearsay. Ms Kaur accepted this during oral submissions and rightly did not press the matter.

114 A range of access orders have been made in this judgment. The parties are expected "to do their utmost to make the ordered arrangements work": *DDN* at [17]. At the same time, the parent-child relationship is dynamic and the access orders made cannot cover every possible scenario. Thus, while neither party expressly sought this, I will provide as part of the access orders that they have liberty to make other access arrangements upon mutual agreement. They

[101] Father's 1st Affidavit dated 22 July 2025, para 53.

[102] Father's 1st Affidavit dated 22 July 2025, para 52.

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should avail themselves of this if the need arises. Their first instinct should not be to litigate matters in court but to try and resolve matters by agreement using their best efforts. They are reminded that litigation has harmful effects on the child: *DDN* at [19], citing *WBU v WBT* [2023] SGHCF 3 at [47].

Conclusion

115 The full set of orders made in OAG 115 is set out in the Annex to this judgment. In making these orders, the court provides the parties with a frame for co-operation. But only they can truly supply M with the foundation to flourish. This requires them to move past the acrimony which has attended these proceedings. I express hope that they can. It starts by having healthy interactions. Avoid the unkind word. Exercise empathy. De-escalate. And perhaps over time, trust can be rebuilt, and renewal found. Challenges can be expected along the way. But when those moments arrive, I urge them to see beyond the hurt which divides them and call on what unites them: their love for M. Let *that* be the moving force which writes a new chapter for M.

Bryan Fang
District Judge

Kulvinder Kaur and Marina Mohamad Sani (I.R.B. Law LLP) for the Applicant;
Roqiyah Begum D/O Mohd Aslam (Netto & Magin LLC) for the Respondent.

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Annex: Orders made

Custody

(1) Parties shall have joint custody of M. [29]

Care and Control

(2) The Mother shall have sole care and control of M. [48]

Access

Weekly access

(3) The Father shall have liberal weekly access as follows: [62]

(a) Monday and Friday morning school drop-off;

(b) Monday and Thursday after school to 6pm;

(c) For one month from the date of this order:

(i) Friday after school to 8pm;

(ii) Saturday from 10.30am to 8pm;

(d) From 2 December 2026, overnight access from Friday after school to Saturday 8pm.

(4) By default, the Father is to pick M up from the Mother's house or M's school (as the case may be) at the start of his access and the Mother is to pick M up from the Father's house at the conclusion of his access. Parties are at liberty to make other handover arrangements by mutual agreement.

School holiday access

(5) (a) Parties are to evenly split the school holidays. [68]

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(i) In odd years commencing 2027, M shall spend the first half of the school holidays with the Mother and the second half with the Father;

(ii) In even years commencing 2028, M shall spend the first half of the school holidays with the Father and the second half with the Mother.

(b) The above equal sharing arrangement is to commence from the mid-term school holidays starting in March 2027 and apply regardless of whether M is enrolled in an international school or local school.

Special days access

(6) (a) M shall be with the Father on Father's Day and the Father's birthday. [73], [74]

(b) M shall be with the Mother on Mother's Day and the Mother's birthday.

(c) (i) M shall be with the Mother on M's birthday in odd years and on the eve of M's birthday in even years.

(ii) M shall be with the Father on M's birthday in even years and on the eve of M's birthday in odd years.

(d) M shall be with the relevant parent on the above special days from 10:30am (or after school on a school day) to 8pm.

Public holidays access

(7) (a) (i) Parties shall have M on alternating public holidays (except for Hari Raya Puasa and Hari Raya Haji) from 10:30am to 8pm. [77], [79]

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(ii) In the event of a two-day public holiday, each party shall have M on one day of the two-day public holiday.

(iii) The Father shall have M on the next public holiday immediately following this order.

(b) The Father shall have access on Hari Raya Puasa and Hari Raya Haji from 10:30am to 4pm. [78], [79]

(c) The school holiday access arrangements in cl (5) above are to prevail even if any public holiday (apart from Hari Raya Puasa and Hari Raya Haji) falls within the school holidays. [80]

Overseas access

(8) (a) The SUM 3003 Order is discharged. [103]

(b) From the mid-term school holidays starting in March 2027, parties are at liberty to take M overseas during their respective periods of school holiday access in cl (5). This is subject to sub-cl(c) below.

(c) Parties may travel overseas with M at any time with the consent of the other parent. This includes taking M overseas during non-school holiday periods and/or before the mid-term school holidays starting in March 2027.

(d) The travelling parent shall provide the non-travelling parent with the travel details at least 14 days prior to the trip, including but not limited to the destination, flight departure and arrival information, itinerary (if any), and contact details during the trip.

(e) The Mother shall safekeep M's passport and dependent's pass.

General access terms

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(9) (a) If either party is required to travel overseas when M is in their care, that party (A) shall notify the other party (B) at least seven days in advance. B shall inform A within 24 hours of receiving such notification if B is available to care for M. If B is available to care for M, M shall be in B's care for the duration of A's travel. If B is not available to care for M, A is at liberty to make alternative care arrangements for M. This arrangement commences with immediate effect. [107]

(b) Parties are at liberty to make other access arrangements upon mutual agreement. [114]

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